

Robert A. Appleby (admitted *pro hac vice*)  
 robert.appleby@kirkland.com  
 KIRKLAND & ELLIS LLP  
 601 Lexington Avenue  
 New York, NY 10022-4675  
 Telephone: (212) 446-4800  
 Facsimile: (212) 446-4900

Sarah E. Piepmeier (SBN 227094)  
 Sarah.piepmeier@kirkland.com  
 KIRKLAND & ELLIS LLP  
 555 California Street  
 San Francisco, CA 94104  
 Telephone: (415) 439-1400  
 Facsimile: (415) 439-1500

Attorneys for Defendant  
*TIBCO Software Inc.*  
*Additional counsel listed on signature page*

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

VASUDEVAN SOFTWARE, INC.,  
  
 Plaintiff,  
  
 v.  
  
 TIBCO SOFTWARE INC.,  
  
 Defendant.

Case No. 11-CV-06638-RS

**JOINT STIPULATION**

Judge: The Honorable Richard Seeborg

WHEREAS, the Court granted summary judgment of invalidity and non-infringement of U.S. Patent No. 7,167,864 in favor of TIBCO Software Inc. ("TIBCO") and against Vasudevan Software, Inc. ("VSi") on October 17, 2013 (Dkt. Nos. 239-240);

WHEREAS, the Court entered judgment in favor of TIBCO and against VSi on October 17, 2013 (Dkt. No. 241);

WHEREAS, Civil L.R. 54-1(a) requires that Bill of Costs be served and filed no later than 14 days after entry of judgment;

1 WHEREAS, Civil L.R. 54-5 requires that a Motion for Fees be served and filed no later  
2 than 14 days after entry of judgment;

3 WHEREAS, VSi intends to appeal the Court's grants of summary judgment of invalidity  
4 and non-infringement and its entry of judgment;

5 WHEREAS, TIBCO has requested, and VSi has agreed, that in order to promote judicial  
6 efficiency and to conserve litigation costs, the deadlines for the Bill of Costs and Motion for Fees  
7 (including Motions for Fees pursuant to 35 U.S.C. § 285) be delayed until 30 days after the  
8 Federal Circuit's issuance of the mandate regarding VSi's appeal of the Court's summary  
9 judgment orders and final judgment;

10 WHEREAS, the extension requested would not change any other date set by the Court.

11 NOW, THEREFORE, IT IS HEREBY STIPULATED amongst VSi and TIBCO that, the  
12 deadline for a Bill of Costs and a Motion for Fees (including any Motion for Fees pursuant to 35  
13 U.S.C. § 285) be delayed until 30 days after the Federal Circuit's issuance of the mandate  
14 regarding VSi's appeal of this Court's summary judgment orders and final judgment.

15 Dated: October 24, 2013

16 SUSMAN GODFREY LLP

17 By: Eric Enger (by permission JAL)

18 Brooke A. M. Taylor

19 Lead Attorney

20 WA Bar No. 33190 (Admitted *Pro Hac Vice*)

21 btaylor@susmangodfrey.com

22 Jordan W. Connors

23 WA Bar No. 41649 (Admitted *Pro Hac Vice*)

24 jconnors@susmangodfrey.com

25 SUSMAN GODFREY L.L.P.

26 1201 Third Avenue, Suite 3800

27 Seattle, Washington 98101-3000

28 T: (206) 516-3880

F: (206) 516-3883 (fax)

Stephen E. Morrissey

CA Bar No. 187865

smorrissey@susmangodfrey.com

SUSMAN GODFREY L.L.P.

1901 Avenue of the Stars, Suite 950

Los Angeles, CA 90067-6029  
T: (310) 789-3103  
F: (310) 789-3150 (fax)

Michael F. Heim  
TX Bar No. 09380923 (Admitted *Pro Hac Vice*)  
mheim@hpcllp.com  
Leslie V. Payne  
TX Bar No. 00784736 (Admitted *Pro Hac Vice*)  
lpayne@hpcllp.com  
Eric J. Enger  
TX Bar No. 24045833 (Admitted *Pro Hac Vice*)  
eenger@hpcllp.com  
Nick P. Patel  
TX Bar No. 24076610 (Admitted *Pro Hac Vice*)  
npatel@hpcllp.com  
HEIM, PAYNE & CHORUSH, LLP  
600 Travis Street, Suite 6710  
Houston, Texas 77002-2912  
T: (713) 221-2000  
F: (713) 221-2021(fax)

*Attorneys for Plaintiff*  
VASUDEVAN SOFTWARE, INC.

Dated: October 24, 2013

By: Joseph Loy  
Robert A. Appleby (admitted *pro hac vice*)  
robert.appleby@kirkland.com  
Joseph A. Loy (admitted *pro hac vice*)  
joseph.loy@kirkland.com  
Lauren B. Sabol (admitted *pro hac vice*)  
lauren.sabol@kirkland.com  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, NY 10022-4675  
Telephone: (212) 446-4800  
Facsimile: (212) 446-4900

Ian J. Block (admitted *pro hac vice*)  
ian.block@kirkland.com  
KIRKLAND & ELLIS LLP  
300 North LaSalle  
Chicago, IL 60654  
Telephone: (312) 862-2000  
Facsimile: (312) 862-2200

Sarah E. Piepmeier (SBN 227094)  
sarah.piepmeier@kirkland.com  
KIRKLAND & ELLIS LLP  
555 California Street  
San Francisco, CA 94104  
Telephone: (415) 439-1400  
Facsimile: (415) 439-1500

*Attorneys for Defendant*  
TIBCO SOFTWARE INC.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24th day of October, 2013, a true and correct copy of the foregoing JOINT STIPULATION was served by ECF on all counsel of record.

/s/ Joseph Loy

Joseph A. Loy (admitted *pro hac vice*)

joseph.loy@kirkland.com

KIRKLAND & ELLIS LLP

601 Lexington Avenue


New York, NY 10022-4675

Telephone: (212) 446-4800

Facsimile: (212) 446-4900

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2  
3 DATED: 10/24/13

  
[Hon. Richard Seeborg]  
United States District Court Judge